IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

WA.No. 1934 of 2007

AGAINST THE JUDGEMENT IN WPC.18874/2007 Dated 20/06/2007
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APPELLANT: PETITIONER IN WPC1

SAJEEV.M.K.,
SECURITY GUARD,
GENERAL ADMINISTRATION (HOME) DEPARTMENT,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

BY ADV. SRI.M.V.THAMBAN
SRI.V.K.SATHYANATHAN

RESPONDENTS: RESPONDENTS IN WP(C)
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1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT
DEPARTMENT OF LAW GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.

2. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVT.
DEPARTMENT OF GENERAL ADMINISTRATION (HOME)
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

3. THE CHIEF SECURITY OFFICER,
GENERAL ADMINISTRATION (HOME) DEPARTMENT,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SANDHESH RAJA

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 06/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & V.K.MOHANAN, JJ

W.A. 1934/2007

Dated this the 6th day of August, 2007

JUDGMENT

Radhakrishnan, J.

We find no infirmity in the stand taken by the learned Single Judge that the Military service cannot be considered as qualifying service for selection to the post of Legal Assistant. Kerala Secretariat Subordinate Services Rules prescribe minimum three years of service in the department under the State Government. Petitioner has got only three years military service and the same cannot be taken as service prescribed in the Special Rules for appointment to the post of Legal Assistant Grade-II.

This appeal, therefore, lacks merit and is dismissed.

K.S.RADHAKRISHNAN
Judge

V.K.MOHANAN
Judge

mrcs